

APPEALS PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 11 February 2019 at 10.00 a.m.

Present: Councillors Ian Cavana (Chair), Iain Campbell, Derek McCabe and Margaret Toner.
Apologies: Councillors Laura Brennan-Whitefield and Brian Connolly.
Attending: C. McMenamin, Co-ordinator (Legal Services); J. Dunne, Service Lead - HR Policy and Operations; and E. Wyllie, Committee Services Officer.

1. Exclusion of Press and Public.

The Panel resolved, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded for the following item of business on the agenda, on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 1 of Part 1 of Schedule 7(A) of the Act.

2. Declarations of Interest.

There were no declarations of interest by Members of the Panel in terms of Standing Order No. 17 and the Councillors' Code of Conduct.

3. Minutes of previous meetings.

The minutes of 30 January and 7 February 2019 (issued) were submitted and approved.

The Appellant, accompanied by a former colleague, and the Management Representative joined the meeting at this point.

4. Appeal Against Dismissal.

Reference was made to the Minutes of 30 January 2019 which considered an appeal against dismissal and when it was decided to re-convene the hearing as soon as possible for further information and the calling of witnesses for clarification. This had been arranged to take place on 7 February 2019 but it was decided to re-convene to ensure that the former colleague who had accompanied the appellant to the meeting on 30 January 2019 was in attendance.

Thereon, the appellant, a former employee of Neighbourhood Services was in attendance and supported by the former colleague. Kenny Dalrymple, Service Lead – Neighbourhood Services represented the Council.

The Panel heard from two witnesses called by the Panel and, after questions, both parties withdrew.

Having considered carefully all the documents and evidence presented at the meeting on 30 January 2019 and at today's meeting, the Panel

Decided: unanimously, that the grounds for the appeal had not been substantiated and, therefore, the appeal was not upheld.

Thereafter, both parties were re-admitted to the meeting and advised of the Panel's decision.

The meeting ended at 1.10 p.m.